

## Message Text

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ACTION IO-13

INFO OCT-01 EUR-12 ISO-00 CIAE-00 DODE-00 PM-04 H-02

INR-07 L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 AF-08 ARA-06 EA-07 NEA-10 SAM-01 DLOS-06

JUSE-00 ACDA-07 /117 W

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TO SECSTATE WASHDC 8638

INFO AMEMBASSY ANKARA

AMEMBASSY ATHENS

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E.O. 11652: N/A

TAGS: UNSC, PFOR, GR, TU

SUBJ: SECURITY COUNCIL ON AGEAN DISPUTE: GREEK LETTER

TO SYG DATED AUGUST 11

1. THE GREEK PERM REP'S LETTER TO THE SYG REPRODUCED  
BELOW WAS DISTRIBUTED TO SECURITY COUNCIL MEMBERS AT  
THE OUTSET OF FOREIGN MINISTER BITSIOS' REMARKS TO THE  
COUNCIL ON AUGUST 12.

2. QUOTE:

LETTER DATED 11 AUGUST 1976 FROM THE PERMANENT REPRESENTATIVE  
OF GREECE TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-  
GENERAL

WITH REFERENCE TO MY LETTER OF 10 AUGUST 1976 TO THE PRESIDENT  
OF THE SECURITY COUNCIL (S/12167), I HAVE THE HONOUR  
TO TRANSMIT TO YOU HERewith AN EXPLANATORY MEMORANDUM  
CONCERNING TURKISH VIOLATIONS OF GREECE'S SOVEREIGN RIGHTS  
ON ITS CONTINENTAL SHELF IN THE AEGEAN SEA.

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I SHOULD BE GRATEFUL IF YOU WOULD HAVE THE TEXT OF THIS LETTER  
CIRCULATED AS A SECURITY COUNCIL DOCUMENT.

(SIGNED) GEORGE PAPOULIAS  
AMBASSADOR  
PERMANENT REPRESENTATIVE OF GREECE  
TO THE UNITED NATIONS

ANNEX

EXPLANATORY MEMORANDUM

A VERY TENSE SITUATION HAS ARISEN BETWEEN GREECE AND  
TURKEY IN THE AEGEAN SEA AS A RESULT OF SEISMIC RESEARCH  
CONDUCTED ON THE GREEK CONTINENTAL SHELF IN THE AEGEAN  
SEA FROM 7.45 P.M. ON 6 AUGUST 1976 TO 12.30 A.M. ON  
7 AUGUST 1976 BY THE TURKISH VESSEL BEGIN UNDERLINE  
MTA SISMİK-I END UNDERLINE IN VIOLATION OF GREEK SOVEREIGN  
RIGHTS; THIS TOOK PLACE IN AN AREA DELIMITED BY THE FOLLOWING  
CO-ORDINATES:

LATITUDE 39DEGREES 26.5' NORTH - LONGITUDE 25 DEGREES 50.5' EAST

LATITUDE 39DEGREES 25' NORTH - LONGITUDE 25DEGREES 48' EAST  
LATITUDE 39DEGREES 23' NORTH - LONGITUDE 25DEGREES 44' EAST  
LATITUDE 39DEGREES 26' NORTH - LONGITUDE 25DEGREES 45' EAST  
LATITUDE 39DEGREES 28' NORTH - LONGITUDE 25DEGREES 44' EAST  
LATITUDE 39DEGREES 30' NORTH - LONGITUDE 25DEGREES 43' EAST

THE ABOVE-MENTIONED TURKISH VESSEL CONTINUED ITS ILLEGAL  
EXPLORATION OF THE GREEK CONTINENTAL SHELF WITHOUT INTER-  
RUPTION FROM 11.20 AM.M. ON 7 AUGUST TO 1.30 P.M. ON  
8 AUGUST AND ALSO FROM 3 P.M. ON 8 AUGUST TO 6 P.M.  
ON THE SAME DAY. THE AREA EXPLORED IS DELIMITED BY THE  
FOLLOWING CO-ORDINATES:

LATITUDE 39DEGREES 25' NORTH - LONGITUDE 25DEGREES 54' EAST  
LATITUDE 39DEGREES 22.5' NORTH - LONGITUDE 25DEGREES 47.2' EAST  
LATITUDE 39DEGREES 20' NORTH LONGITUDE 25DEGREES 40' EAST  
LATITUDE 39DEGREES 20.7' NORTH - LONGITUDE 25DEGREES 37' EAST  
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LATITUDE 39DEGREES 25.8' NORTH - LONGITUDE 25DEGREES 32.6' EAST  
LATITUDE 39DEGREES 34' NORTH - LONGITUDE 25DEGREES 25.2' EAST  
LATITUDE 39DEGREES 40' NORTH - LONGITUDE 25DEGREES 23.5' EAST  
LATITUDE 39DEGREES 40' NORTH - LONGITUDE 25 DEGREES 27.2' EAST  
LATITUDE 39DEGREES 30.7' NORTH - LONGITUDE 25DEGREES 33.5' EAST  
LATITUDE 39DEGREES 22.2' NORTH - LONGIDUTE 25DEGREES 38.7' EAST  
LATITUDE 39DEGREES 22.5' NORTH - LONGITUDE 25DEGREES 41.3' EAST  
LATITUDE 39DEGREES 34.5' NORTH - LONGITUDE 25DEGREES 36' EAST

LATITUDE 39DEGREES 43.5' NORTH - LONGITUDE 25DEGREES 28.5' EAST  
LATITUDE 39DEGREES 42' NORTH - LONGITUDE 25DEGREES 32.2' EAST  
LATITUDE 39DEGREES 29.6' NORTH - LONGITUDE 25DEGREES 43.5' EAST  
LATITUDE 39DEGREES 24.9' NORTH - LONGITUDE 25DEGREES 48' EAST  
LATITUDE 39DEGREES 27.4' NORTH - LONGITUDE 25DEGREES 48.2' EAST

(NOTE VERBALE DATED 9 AUGUST 1976 FROM THE GREEK EMBASSY  
IN ANKARA TO THE TURKISH MINISTRY OF FOREIGN AFFAIRS -  
ANNEX I)

SINCE A CONTINUATION OF THIS SITUATION IS LIKELY TO THREATEN  
THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY,  
GREECE HAS THE HONOUR TO BRING THE MATTER BEFORE THE UNITED  
NATIONS SECURITY COUNCIL UNDER THE UNITED NATIONS CHARTER.

ON 1 NOVEMBER 1973, A LAW WAS PUBLISHED IN THE TURKISH  
OFFICIAL GAZETTE GRANTING THE TURKISH STATE CORPORATION TPAO  
THE RIGHT TO PROSPECT FOR OIL IN 26 AREAS OF THE CONTINENTAL  
SHELF IN THE AEGEAN SEA SITUATED AT THE MOUTH OF THE  
EVROS ON THE NORTH AND EXTENDING TO THE WEST OF THE  
GREEK ISLANDS OF CHIOS AND PSARA.

IN A NOTE DATED 7 FEBRUARY 1974, GREECE TOOK THE POSITION  
THAT THE INTERNATIONAL STATUS OF THE CONTINENTAL SHELF WAS  
GOVERNED BY THE 1958 GENEVA CONVENTION AND THAT IT WAS  
THEREFORE IMPOSSIBLE TO RECOGNIZE THE VALIDITY OF THE  
UNILATERAL TURKISH ACTIONS REFERRED TO ABOVE, WHICH  
CONSTITUTE A VIOLATION OF GREECE'S SOVEREIGN RIGHTS ON  
THE CONTINENTAL SHELF OF ITS ISLANDS.

IN ITS NOTE OF 27 FEBRUARY 1974, TURKEY PUT FORWARD VARIOUS  
POLITICAL, ECONOMIC AND GEOPHYSICAL ARGUMENTS IN SUPPORT  
OF THE CONTENTION THAT THE GREEK ISLANDS HAD NO CONTINENTAL  
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SHELF OF THEIR OWN.

ON 28 MARCH 1974, TURKEY LAUNCHED A SERIES OF ACTS OF INTIMI-  
DATION DIRECT AGAINST GREECE. THESE INCLUDED THE VIOLATION  
OF GREEK AIR SPACE, THE ORGANIZATION OF ANTI-GREEK DEMONSTRATIONS  
IN ISTANBUL, AND THE DISPATCH OF THE TURKISH HYDROGRAPHIC  
VESSEL CANDARLI, ACCOMPANIED BY 32 TURKISH WARSHIPS,  
TO CONDUCT MAGNETOMETRIC RESEARCH IN THE NORTH-EASTERN  
AND CENTRAL PART OF THE AEGEAN SEA, I.E. ALONG THE WESTERN  
BOUNDARY OF THE CONCESSIONS WHICH HAD BEEN GRANTED, AS  
PUBLISHED IN THE TURKISH OFFICIAL GAZETTE OF 1 NOVEMBER 1973.

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ON 24 MAY 1974, GREECE INFORMED TURKEY THAT IT WAS NOT  
OPPOSED TO HOLDING A DISCUSSION OF THE PROBLEM WITH A VIEW  
TO DELIMITING THE CONTINENTAL SHELF BETWEEN THE TWO COUNTRIES  
ON THE BASIS OF THE POSITIVE INTERNATIONAL LAW OF FORCE,  
AS CODIFIED BY THE 1958 GENEVA CONVENTION.

ALTHOUGH THIS GREEK PROPOSAL WAS WELCOMED BY TURKEY  
AS A POSITIVE STEP. THAT COUNTRY ON 18 JULY 1974 GRANTED  
THE TURKISH CORPORATION TPAO ADDITIONAL PROSPECTING  
LICENCES ON THE CONTINENTAL SHELF TO THE WEST OF THE  
LINE DEFINED ON 1 NOVEMBER 1973 AND IN THE SOUTHERN AEGEAN  
SEA, I.E. TO THE WEST OF THE GREEK DODECANESE ISLANDS  
UP TO THE VICINITY OF THE GREEK ISLAND OF RHODES.

ON 22 AUGUST 1974. GREECE PROTESTED THESE FURTHER UNILATERAL  
MEASURES, WHICH ARE CONTRARY TO INTERNATIONAL LAW AND  
CONSTITUTE A VIOLATION OF GREECE'S SOVEREIGN RIGHTS  
ON ITS CONTINENTAL SHELF. IT DENOUNCED THEIR OBVIOUSLY  
UNLAWFUL NATURE.

ON 27 JANUARY 1975 GREECE PROPOSED TO TURKEY THAT THE DISPUTE  
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BETWEEN THEM SHOULD BE SUBMITTED TO THE INTERNATIONAL COURT OF JUSTICE AND THAT A BEGIN UNDERLINE COMPROMIS END UNDERLINE TO THAT EFFECT SHOULD BE DRAWN UP. THE TURKISH GOVERNMENT ACCEPTED THIS PROPOSAL IN PRINCIPLE IN ITS NOTE OF 6 FEBRUARY 1975 (THE NOTES ARE ATTACHED HERETO IN ANNEX II). IN CONSEQUENCE, A FIRST MEETING BETWEEN THE MINISTERS FOR FOREIGN AFFAIRS OF THE TWO COUNTRIES WAS HELD AT ROME FROM 17 TO 19 MAY 1975 TO DRAW UP THE BEGIN UNDERLINE COMPROMIS. END UNDERLINE IT WAS FOLLOWED BY A SECOND MEETING, THIS TIME OF THE PRIME MINISTERS, AT BRUSSELS ON 31 MAY 1975. THE COMMUNIQUE ISSUED FOLLOWING THIS LATTER MEETING READ AS FOLLOWS:

"IN THE COURSE OF THEIR MEETING, THE TWO PRIME MINISTERS HAD THE OCCASION TO CONSIDER THE PROBLEMS WHICH HAD LED TO THE PRESENT SITUATION IN RELATIONS BETWEEN THEIR COUNTRIES.

"THEY DECIDED THAT THESE PROBLEMS SHOULD BE SOLVED PEACEFULLY BY NEGOTIATIONS AND, IN THE CASE OF THE CONTINENTAL SHELF IN THE AEGEAN SEA, BY THE INTERNATIONAL COURT OF JUSTICE AT THE HAGUE."

FOLLOWING THIS MEETING, SEVERAL COMMUNICATIONS WERE EXCHANGED BETWEEN THE TWO GOVERNMENTS WITH A VIEW TO THE HOLDING OF A MEETING OF EXPERTS TO DRAW UP THE BEGIN UNDERLINE COMPROMIS END UNDERLINE BY WHICH THE DISPUTE WOULD BE REFERRED TO THE INTERNATIONAL COURT OF JUSTICE. THE NOTES EXCHANGED ON 30 SEPTEMBER 1975, 18 NOVEMBER 1975 AND 19 DECEMBER 1975 SHOWED THAT THERE WAS A FUNDAMENTAL DIS-AGREEMENT BETWEEN THE TWO COUNTRIES ARISING FROM AN IRRE-CONCILABLE CONFLICT BETWEEN THE TWO STATES CONCERNING THE APPLICABLE PRINCIPLES AND RULES OF PUBLIC INTERNATIONAL LAW AND HENCE FROM THE LACK OF A DELIMITATION OF THE CONTINENTAL SHELF IN THE AEGEAN SEA. THE TEXTS OF THESE NOTES ARE ATTACHED HERETO (IN ANNEX III).

FOLLOWING THIS EXCHANGE OF NOTES A MEETING OF EXPERTS WAS FINALLY ARRANGED WITH A VIEW TO THE DRAFTING OF THE BEGIN UNDERLINE COMPROMIS. END UNDERLINE IT WAS AGREED THAT IF THE DISCUSSIONS BETWEEN THE EXPERTS MADE IT POSSIBLE TO REDUCE THE NUMBER OF POINTS ON WHICH THERE LIMITED OFFICIAL USE

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WAS DISAGREEMENT, ONLY THOSE POINTS REMAINING IN DISPUTE WOULD BE SUBMITTED FOR DECISION BY THE COURT.

THIS MEETING TOOK PLACE AT BERNE FROM 31 JANUARY TO 2 FEBRUARY 1976 WITHOUT PRODUCING ANY RESULTS.

A NEW MEETING OF EXPERTS WAS HELD AT BERNE ON 19 AND 20 JUNE 1976 DURING WHICH THE TWO SIDES FORMULATED CERTAIN PROPOSALS. THE TWO GOVERNMENTS RESERVED THE RIGHT TO STUDY THE SITUATION AND TO REACH AGREEMENT, AS APPROPRIATE, ON A NEW MEETING OF EXPERTS.

YET EVEN AS THIS HOPE, HOWEVER SLIGHT, OF REACHING AGREEMENT ON A BEGIN UNDERLINE COMPROMIS END UNDERLINE WAS EMERGING, SINCE IT WAS AT ALL EVENTS INTENDED THAT THE NEGOTIATIONS SHOULD BE CONTINUED, THE TURKISH GOVERNMENT DISPATCHED TO THE AEGEAN SEA A SPECIALLY EQUOPPED VESSEL WHICH WAS TO CONDUCT SEISMIC RESEARCH, IN OTHER WORDS, TO CARRY OUT EXPLORATION WITHIN THE MEANING OF ARTICLE 2 OF THE GENEVA CONVENTION ON THE CONTINENTAL SHELF BELONGING TO GREECE UNDER INTERNATIONAL LAW. IT DID SO DESPITE THE EFFORTS OF THE GREEK GOVERNMENT TO DISSUADE THE TURKISH GOVERNMENT FROM TAKING THIS PERILOUS COURSE.

WHILE THE GREEK-TURKISH DISPUTE, CONCERNING THE DELIMITATION OF THE CONTINENTAL SHELF BETWEEN THE TWO COUNTRIES, IS OF A LEGAL NATURE, IT HAS AT THE SAME TIME EXTREMELY SERIOUS IMPLICATIONS OWING TO TURKISH CLAIMS WHICH CANNOT BE JUSTIFIED FROM THE STANDPOINT OF INTERNATIONAL LEGALITY.

THE FACT IS THAT THE TURKISH SIDE, INVOKING GEOLOGICAL, GEOPHYSICAL AND GEOPOLITICAL CRITERIA, CONSIDERS THAT THE GREEK ISLANDS OF LIMNOS, AGIOS, EUSTRATIOS, LESBOS, CHIOS, SAMOS, RHODES, ETC., ARE "PROTUBERANCES" - TO USE THE TURKISH EXPRESSION - OF THE CONTINENTAL SHELF OF ANATOLIA AND FOR THAT REASON DO NOT HAVE THEIR OWN CONTINENTAL SHELF.

IN THIS CONTEXT THE DISPATCH OF THE TURKISH VESSEL BEGIN UNDERLINE SISMII-I END UNDERLINE AND THE SEISMIC LIMITED OFFICIAL USE

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TESTS CARRIED OUT BY IT POSE A VERY SPECIAL DANGER. CONSTITUTING AS THEY DO A VIOLATION OF THE SOVEREIGN RIGHTS OF GREECE, THEY INCREASE TENSION BETWEEN THE TWO COUNTRIES. CONSIDERING THE ALREADY VERY SERIOUS GREEK-TURKISH DISPUTE, THE TURKISH NAVAL AND AIR MANOEUVRES PRECEDING OR ACCOMPANYING THE MOVEMENT OF THE VESSEL BEGIN UNDERLINE SISMII-I, END UNDERLINE THE PRESENCE AND CONCENTRATION OF TURKISH NAVAL AND AIR UNITS "COVERING" THE ACTIVITIES OF THAT VESSEL, THE PRECAUTIONS INEVITABLY TAKEN BY THE GREEK GOVERNMENT, AND TURKEY'S INSISTENCE ON CONTINUING THE TESTS, AS THE TURKISH GOVERNMENT HAS OFFICIALLY ANNOUNCED, AND ON MAINTAINING A STANCE WHICH

CLEARLY HAS THE ASPECT OF A PROVOCATION, ARE CREATING  
A SITUATION OF CONFRONTATION THE PROLONGATION OF WHICH IS  
LIKELY TO ENDANGER THE MAINTENANCE OF INTERNATIONAL PEACE  
AND SECURITY.

BECAUSE OF THIS DANGEROUS SITUATION WHICH THREATENS PEACE  
IN THE EASTERN MEDITERRANEAN REGION, THE GREEK GOVERNMENT  
CONSIDERS THAT IT HAS THE DUTY TO BRING IT TO THE  
ATTENTION OF THE SECURITY COUNCIL AS A MATTER OF URGENCY  
UNDER THE RELEVANT PROVISIONS OF THE CHARTER.

UNQUOTE.  
SCRANTON

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DISPUTES, SHIP HARASSMENT, OCEANOGRAPHIC RESEARCH, DIPLOMATIC NOTES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 13 AUG 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** ShawDG  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760311-0297  
**From:** USUN NEW YORK  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1976/newtext/t19760854/aaaabujs.tel  
**Line Count:** 344  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION IO  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 7  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** ShawDG  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 08 APR 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <08 APR 2004 by CunninFX>; APPROVED <04 AUG 2004 by ShawDG>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
04 MAY 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** SECURITY COUNCIL ON AGEAN DISPUTE: GREEK LETTER TO SYG DATED AUGUST 11  
**TAGS:** PFOR, GR, TU, UNSC  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006